

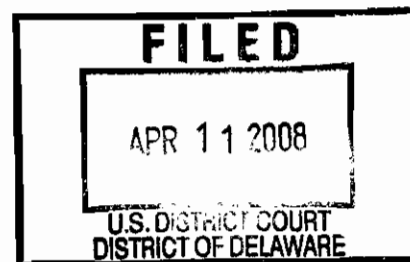
IN THE UNITED STATES DISTRICT OF DELAWARE

James Arthur Biggins,  
Plaintiff,

vs  
Governor: Ruth Ann Minner et al.  
Defendants.

CAN. 1-08-04 GMS

To: The Honorable Gregory M. Sleet  
Judge's Chambers  
U.S. District Court House  
844 North King Street  
Wilmington, Delaware 19801



Your Honor:

PD scanned

With deep respect of your time, I again submit documentation of the defendant's intentional deprivation of health care of my serious medical needs that has now been demonstrated at such severity that it now essentially amounts to a form of punishment warranting immediate attention. Ramos v. Lamm, 16th Cir, 639 F.2d 559 (1980) cert. denied, 450 U.S. 1041 (1981); Inmates of Allegheny County Jail v. Pierce, 3 Cir, 612 F.2d 734 (1979); Cruz v. Ward, 2d Cir, 558 F.2d 658 (1977), cert. denied, 934 U.S. 1018 (1978); Robert E. v. Lane, N.D. Ill., 530 F. Supp. 936 (1982); Griffin v. Smith, W.D. NY, 493 F. Supp. 129 (1980). See exhibit (A) (Medical Sick Call, informing that I'm once again without chronic care med for back conditions and would like to be seen immediately), exhibit (B) (Emergency Medical Grievance) (requesting investigation into their monitoring and medical record keep. And advising them to treat the grievance with urgency). Note further, these medical issues have been exhausted repeatedly and is the grounds on which this case was filed.

Your Honor, the defendant's practices are willful and wintion. And I nor anyone else should continuously be subjected to this "cruel and unusual and unnecessary punishment. Spreilly Gillis, 372 F.2d 218, 235 (3d Cir 2004), Jackson v. Fauver, 334 F Supp. 2d 647, 736 (D N J. 2004).

X C. File:  
James E. Depee (ALL CMS); and  
Ophelia M. Waters (ALL State Defendants)

James Arthur Biggins

**DELAWARE DEPARTMENT OF CORRECTIONS**  
**REQUEST FOR MEDICAL/DENTAL SICK CALL SERVICES**  
**FACILITY: DELAWARE CORRECTIONAL CENTER**  
This request is for (circle one): (MEDICAL) DENTAL MENTAL HEALTH

JAMES Arthur Biggins MHU #22 / A-U-4  
Name (Print) Housing Location  
May 11, 1964 #319264 April 8th, 2008  
Date of Birth SBI Number Date Submitted

Complaint (What type of problem are you having)? On Saturday (April 5th, 2008), I was  
informed once again that the chronic care treatment meds (Tylenol 3) had expired.  
I have nothing for pain management and suffer daily constantly, you all had already  
failed to give me anything else to assist with the (Tylenol 3) for back pain in the last 2  
months or so. Despite your alleged record keeping system, this still happens. I need to see a doctor  
immediately please.  
James Arthur Biggins April 8th, 2008  
Inmate Signature Date

**The below area is for medical use only. Please do not write any further.**

S:

O:

Temp: \_\_\_\_\_

Pulse: \_\_\_\_\_

Resp: \_\_\_\_\_

B/P: \_\_\_\_\_

WT: \_\_\_\_\_

A:

P:

E:

Provider Signature & Title

Date & Time

X.C. File  
U.S. District Court, C.A. No. 1-08-14 GMS

JAMES E. DENEC, Esquire  
OPHELIA M. WATERS, Esquire

Ex. A

FORM #585

MEDICAL GRIEVANCE

FACILITY: Delaware Correctional Center

DATE SUBMITTED: April 8th, 2008

INMATE'S NAME: James Arthur Biggins

SBI#: #319224

HOUSING UNIT: MHU #22 / A-17-4

CASE #: \_\_\_\_\_

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: On-Going

TYPE OF MEDICAL PROBLEM: Those in charge please recognize that pain meds are needed, to stop pain.

Despite having won on appeal for the CMS record keeping policy to confirm to their Action Plan to monitor chronic care and special needs patients medication(s) and doctor required appointments regularly under their agreement with the State of Delaware and the U.S. Dept of Justice, which accordingly is supposed to be in place and effective 12/30/07. Here we are 4 months in and despite CMS had having since 12/30/06, to get their system together nothing still hasn't changed! I have now been without any assistance pain relief meds that work in conjunction with the minimum effective relief from the (Lydium 13) for over 4 months and have been prescribed with the doctors knowledge "Paxone forte" twice, that adversely affects me. And like always, I'm again without now any medication for my chronic care medical problem with my back. Note that I'm requesting this grievance be treated with priority (an emergency) and someone get me immediately a doctor's appointment to take care of the situation.

GRIEVANT'S SIGNATURE: James Arthur Biggins

DATE: April 8th, 2008

ACTION REQUESTED BY GRIEVANT: Would like an investigation conducted on the emphasis of your agreement to improve your record keeping, monitoring of chronic care and special needs patients medical treatment. And implement those policies to ensure that my health care needs are adequately met. Am I a special case, to whom is repeatedly retaliated against for my distresses?

DATE RECEIVED BY MEDICAL UNIT: \_\_\_\_\_

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

Ex.B

I/M James Arthur Higgins  
SBI# #31974 UNIT 22A-114  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19779

**U.S.M.S.  
X-RAY**



Legal Mail

C/O: Clerk of the Court  
United States District Court House  
844 North King Street  
Wilmington, Delaware  
19801

**U.S.M.S.  
X-RAY**

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